

**STATE OF RHODE ISLAND
DEPARTMENT OF HUMAN SERVICES
PUBLIC NOTICE OF PROPOSED RULE-MAKING**

In accordance with the R.I. Gen. Laws Chapter 42-35, as amended, as amended, the Department of Human Services (DHS) hereby proposes to amend the following DHS rules:

**RICR Title 218 – Rhode Island Department of Human Services
Chapter 20 – Individual and Family Support Programs
Part 4 – Child Care Assistance Program Rules and Regulations**

In accordance with the Administrative Procedures Act, the Department is proposing rule-making to amend the Child Care Assistance Program Rules and Regulations. Effective December 1, 2021 the Department proposes the following changes:

The proposed amendments are as follows:

- § 4.1.1 Updated Introduction language under (A)
- § 4.1.2 Added “or educations” under (B)(2)
Added “Educators” under (B)(5)
- § 4.2 Renumbered definitions due to additions and deletions of terms
Removed repealed citation
Removed definition of “DHS authorized payment for providers” and “Youth Services (YS)”
Added definition of “Appropriate Childcare”, “Fraud”, “Office of Internal Audit Fraud Detection and Prevention Unit”, “Rhode Island public institution of higher education”, “Teen and Family Development (TFD)”
Revised definition of “Department of Children, Youth and Families (DCYF)”, “Department of Human Services (DHS)”, “Head Start Performance Standards”, “Family Child Care Home”, “License Exempt Provider”, “Relative”, “Successfully screened provider”, “Summer camp”
Changed “biennial” to “triennial” under (24)
- §4.3 Added language regarding CCAP for higher education
- §4.3.1 Reformatted section under (A)(1)(a)
Updated language under (A)(4)(a)((4))
Removed repealed citation (A)(5)(c)
Differentiated OCSS cooperation policy(6)(a)(b)(c) into RIW and CCAP as specified in State statute
- §4.3.2 Defined policy according to State statute (A)
- §4.3.3 Added medical/or child support order for clarity
Specified CCAP statute for clarity (A)
- §4.3.4 Reformatted section
- §4.3.9 Reformatted section
- §4.4.1 Revised language under (A)(1)(a)
- §4.4.2 Added section on eligibility for children of deployed individuals (D)(2)(a)(1) per State statute
- §4.6.1 Revised language under (A)(1)(a)((4))
Revised Family Co-share amounts to reflect the 7% cap
Added language under (C)(1)(d)
Revised language under (C)(3)
- §4.6.2 Revised language regarding TFD requirements (A)(2)(b)
- §4.6.2 Removed language stating non- RIW teen parents not having their own

child care case.

- §4.8.2 Added language giving flexibilities to attendance policy
- §4.9.1 Added language restricting providers from charging families additional fees beyond the determine family share amount.
- §4.11.2 Revised language
- §4.11.3 Revised language
- §4.11.4 Added Admin Penalties language for Intentional Misrepresentations
- §4.12.1 Removed reference to Exceed website and added reference to DHS website under (A)(2)
- §4.12.2 Updated language under (B)(1)(a)((2))
Removed (B)(2) and updated numbering accordingly
- §4.12.3 Removed (A)(2) and renumbered section
Added “who are eighteen (18) years of age or older” under (A)(2)(d)((1))((BB))
Added “Proof of valid email” under (B)(3)(1)
- §4.12.5(C) Reformatted Section
Removed reference to License Exempt provider being listed in CPD
- §4.12.6 Revised language under (A)(1)
Revised language under (A)(4)(a)((8))((AA))
- §4.12.7 Added language giving flexibilities to attendance policy
- §4.12.8 Decreased timeframe from 1 year to 60 days (D)(2)
- Removed DCYF references and replaced with DHS where needed
- Removed paternity references and replaced with parentage where needed
- Removed Youth Services (YS) references and replace with Teen and Family Development (TFD) where needed
- Updated Citations where needed
- Technical Revisions throughout Rule
- Removed references to CCAP Approved Provider Rate (APRR) and renumbered accordingly.

In the development of these rules, consideration was given to the following: (1) alternative approaches; and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

These proposed rules are accessible on the DHS website (<http://www.dhs.ri.gov>), the RI Secretary of State website (<http://sos.ri.gov/ProposedRules/>), and available in hard copy upon request (401-462-2018 or RI Relay, dial 711). **A public hearing will be held to consider the proposed amendments on December 14, 2021 from 5:00pm-6:00pm at the Louis Pasteur Building, 25 Howard Avenue, Bldg. 57, Cranston, RI 02920, in the West Wing Conference Room.** Persons wishing to testify may do so by signing up at the hearing or by submitting written testimony no later than 11:59pm on December 31, 2021 to Tara Borges, Office of Policy Development, Department of Human Services, Louis Pasteur Building, 25 Howard Avenue, Bldg. 57, Cranston, RI 02920.

The seating capacity of the West Wing Conference Room will be enforced and therefore the number of persons participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The Louis Pasteur Building is accessible to the handicapped. Individuals with hearing impairments may request an interpreter's presence by calling 711 or Relay RI 1-800-745-6575 (Voice) and 1-800-745-5555 (TDD). Requests for this service must be made at least 72 hours in advance of the Hearing date. The Department of Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual

orientation, religious belief, political belief or handicap in acceptance for or provision of services or employment in its programs or activities.